

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JOHNNY WHITE, JR.,

Plaintiff,

**SCHEDULING ORDER**

-against-

19-cv-543 (CS) (AEK)

C.O. E. TORRES, *et al.*,

Defendants.

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**THE HONORABLE ANDREW E. KRAUSE, U.S.M.J.**

Plaintiff's letter motion to adjourn the settlement conference currently scheduled for October 19, 2022 (ECF No, 130) is GRANTED. The settlement conference before the undersigned will not take place on **Thursday, November 10, 2022, at 2:30 p.m.**

On or before November 7, 2022, the parties must each submit a confidential, *ex parte* letter not to exceed five (5) pages in length. The letter must summarize (i) the history of settlement negotiations; (ii) the issues in the case; (iii) the party's settlement valuation of the case and the rationale(s) for it; and (iv) any other facts that would be helpful to the Court in preparation for the conference. Between the date of this order and the date of the conference, Plaintiff must make at least one concrete settlement demand, and Defendants must make at least one concrete settlement offer. These figures must be reported in the pre-conference letters. Submissions should be emailed to KrauseNYSDChambers@nysd.uscourts.gov.

It is the Court's standard practice to require parties – and not just counsel – to attend settlement conferences. As current or former state employees, however, Defendants are not required to appear personally. Instead, defense counsel must arrange to have the appropriate representative(s) from the New York State Department of Corrections and Community Supervision either attend the conference or be available by telephone during the conference to

approve any proposed settlement. To the extent one or more liability insurance carriers are involved in this matter on behalf of Defendants, a decision-making representative of each carrier must attend unless specifically excused by the Court.

This conference will be conducted by telephone and video, using Microsoft Teams. A link and dial-in instructions will be provided to the parties by email prior to the conference. Should anyone experience any technical issues, please contact Chambers at (914) 390-4070.

**Counsel for Plaintiff must make arrangements with the appropriate correctional facility to have Plaintiff available via telephone.**

Dated: September 27, 2022  
White Plains, New York

**SO ORDERED.**

  
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ANDREW E. KRAUSE  
United States Magistrate Judge